

Senate Bill 29

By: Senators Cagle of the 49th, Hudgens of the 47th and Thomas of the 54th

A BILL TO BE ENTITLED  
AN ACT

To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to require physicians to provide certain information to patients prior to initiating prostate cancer treatment; to provide requirements for a written summary of medically efficacious and viable treatment options for prostate cancer; to provide for statutory construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by adding at the end thereof a new Chapter 46 to read as follows:

"CHAPTER 46

31-46-1.

(a) Prior to initiating prostate cancer treatment, a physician shall:

(1) Orally inform the patient or the patient's legal representative of the medically efficacious and viable treatment options for prostate cancer, including, but not limited to, brachytherapy, chemotherapy, external beam radiation, hormonal treatments, surgery, and watchful waiting. The physician shall describe and quantify the relative advantages, disadvantages, and risks associated with such options in a manner that permits each patient to make a prudent decision in selecting a mode of therapy; and

(2) Provide the patient with a written summary of such medically efficacious and viable treatment options for prostate cancer in accordance with Code Section 31-46-2.

(b) A physician shall indicate compliance with this Code section in the patient's medical record, including the date and time the patient was so informed.

1 31-46-2.

2 (a) The Composite State Board of Medical Examiners, in consultation with organizations  
3 such as the American Cancer Society and the Prostate Cancer Foundation, shall develop  
4 a written summary of medically efficacious and viable treatment options for prostate  
5 cancer. The summary shall be written in such a manner that is understandable to the lay  
6 person. The summary shall describe and quantify the relative advantages, disadvantages,  
7 and risks of the medically efficacious and viable treatment options for prostate cancer,  
8 including, but not limited to, brachytherapy, chemotherapy, external beam radiation,  
9 hormonal treatments, surgery, and watchful waiting. The summary shall also include  
10 telephone numbers, toll-free numbers, and website addresses for a full range of  
11 organizations dedicated to cancer patient education that are determined by the Composite  
12 State Board of Medical Examiners to provide useful information for patients regarding  
13 prostate cancer treatment options. The Composite State Board of Medical Examiners shall  
14 revise and update the summary as necessary and appropriate.

15 (b) The Composite State Board of Medical Examiners shall print and make available to all  
16 licensed physicians sufficient copies of the written summary for distribution to patients  
17 diagnosed with prostate cancer.

18 31-46-3.

19 Nothing in this chapter shall be construed to impair any other provisions of law regarding  
20 informed consent."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.